

**WELWYN HATFIELD BOROUGH COUNCIL  
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

**DELEGATED APPLICATION**

**Application No:** 6/2020/1463/FULL  
**Location:** 1 Maynard Place Cuffley Potters Bar EN6 4JA  
**Proposal:** Erection of a one storey roof extension to create no 6 flats including 3 x 1 bed and 3 x 2 bed flats, associated parking and cycle and refuse provision.  
**Officer:** Ms Clare Howe

**Recommendation:** Refused

6/2020/1463/FULL

<b>Context</b>				
<b>Site and Application description</b>	<p>The application site is located on the corner plot of Station Road and Plough Hill. There is an existing building on site which has a mixed use, with numerous retails stores and cafes at ground floors and residential apartments above in two storeys.</p> <p>The applicant seeks planning permission for the erection of a one storey mansard roof extension on top of the exiting 3 storey block, to accommodate 3 x 2 beds and 3 x 1 bed apartments.</p> <p>Further information was received from the Transport Consultant to address concerns relating to the existing car parking. These will be discussed further on within the report.</p> <p>Due to the level of public interest regarding the car parking situation and as there was an error in the housing mix detailed on the original letters sent out, neighbours were re-consulted for a full 21 days, along with a site notice.</p>			
<b>Constraints (as defined within WHDP 2005)</b>	<p>PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0</p> <p>Wards - Northaw &amp; Cuffley - Distance: 0</p> <p>A4D - ARTICLE 4 DIRECTION - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (7631527) - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt - Distance: 0</p>			
<b>Relevant planning history</b>	<p>Application Number: 6/2019/2765/PA      Decision: Refused      Decision Date: 09 January 2020</p> <p>Proposal: Erection of 7 flats above existing</p>			
<b>Consultations</b>				
<b>Neighbour representations</b>	<table border="1"> <tr> <td>Support: 2</td> <td>Object: 19</td> <td>Other: 2</td> </tr> </table>	Support: 2	Object: 19	Other: 2
Support: 2	Object: 19	Other: 2		
<b>Publicity</b>	Site Notice Display Date: 23 July 2020			

	Site Notice Expiry Date: 13 August 2020
<b>Summary of neighbour responses</b>	<p>The application was advertised by means of neighbour notification letters and a site notice. In total 18 representations has been received, commenting upon the proposal. The representations received are published in full on the Council's website and is summarised below:</p> <p>Electric Gate Comments:</p> <ul style="list-style-type: none"> <li>- Are the gates electric?</li> <li>- What about pedestrians access?</li> <li>- Gate access appears too small for bin lorry access;</li> <li>- No details provided regarding the gate and access control;</li> </ul> <p>Design:</p> <ul style="list-style-type: none"> <li>- The additional storey would appear out of character and be overdevelopment;</li> <li>- Would be the only building on the high street 4 stories high;</li> <li>- Can they provide landscaping?</li> </ul> <p>Residential Amenity:</p> <ul style="list-style-type: none"> <li>- Existing properties at second floor have sky lights that let natural light into them and ventilation;</li> <li>- The removal of the sky lights on the existing flats would affect asset value;</li> <li>- Existing flue releases steam and smelly emissions;</li> <li>- Water pressure four levels high could be a problem;</li> <li>- Noise, dust and air pollution;</li> <li>- Overlooking, loss of privacy and block sunlight of Plough Hill properties;</li> <li>- Resident on Plough Hill concerned about access to and from their garage and parking space at the rear of their property;</li> </ul> <p>Car Parking / Highway Matters</p> <ul style="list-style-type: none"> <li>- What will happen during construction work with existing car parking?</li> <li>- Car parking does not meet car parking standards;</li> <li>- Cause more congestion to the B156;</li> <li>- Could lead to serious accidents;</li> <li>- At busy times vehicles waiting to get through the gate will create a serious danger to traffic moving from Plough Hill into Station Road since drivers of those vehicles may not see the blocked road until it is too late to avoid a collision.</li> <li>- Existing garages are too small for cars;</li> <li>- Garages are not allocated to existing flats;</li> <li>- There are not 11 car parking spaces;</li> <li>- Insufficient public transport in the wider area;</li> <li>- If permission were to be granted then a condition restricting hours of</li> </ul>

	<p>construction operation must be included.</p> <p>Public Consultation:</p> <ul style="list-style-type: none"> <li>- Not consulted;</li> <li>- Inaccurate housing mix on consultation letter;</li> </ul> <p>Other matters:</p> <ul style="list-style-type: none"> <li>- History of subsidence in the area, are the foundations of the existing construction sufficient to take the additional weight?</li> <li>- Who will pay the running cost of the electric gates?</li> <li>- Another 6 flats will incur additional footfall, refuse, wear and tear, along with maintenance needed for the proposed new entrance gate. How will this affect our future service charge levels?</li> <li>- Health and safety issues around egress of building;</li> <li>- The existing flats are served by narrow stair wells and landings making Covid social distancing impossible. Adding further flats will exacerbate the already unsatisfactory situation.</li> <li>- Creating new homes above 3 flights of stairs does not meet Lifetime design principles which are so important for the elderly, disabled and those with small children.</li> </ul>
<p><b>Consultees and responses</b></p>	<p>The following have responded advising that they have no objections to the proposal in principal, subject to conditions being applied:</p> <ul style="list-style-type: none"> <li>• WHBC Public Health &amp; Protection</li> <li>• Parking Services</li> <li>• Hertfordshire Constabulary</li> <li>• Network Rail</li> </ul> <p>The Highways Authority initially commented that the Highway Authority are limited in the extent to which it is able to comment, noting that the access road is a privately maintained road. However, as the parking proposals are completely unsatisfactory and allow for confusion and congestion within the site the implication is, the proposals may have a direct effect on the free and safe movement of traffic on the surrounding highway network. On this basis the Highway Authority are unable to extend the grant of planning permission at this time.</p> <p>A further response was received from the Highways Authority in considering the additional information, including:</p> <ol style="list-style-type: none"> <li>a) sub-standard parking (bays 1-4),</li> <li>b) no boundary information,</li> <li>c) no detailed design of the proposed gates,</li> </ol> <p>the Highway Authority stated that they are unable to recommend the granting of permission for this application. However, the Highway Authority are limited in the extent to which it is able to comment, noting that the access road is a privately maintained road. With this in mind, should the local authority be minded to approve this application, the Highway Authority shall require additional conditions.</p>

<b>Relevant Policies</b>	
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others      R1, R11, R18, R19, H2, H6, H7, H8, H10,  Draft Local Plan Proposed Submission August 2016 SP1, SADM 1, SADM 2, SADM 3, SP 7, SP 9, SP 10, SP 11, SADM 11, SADM 12, SADM13, SADM 14	
<b>Main Issues</b>	
<b>Principle of Development</b>	<p>In terms of the principle of housing, the National Planning Policy Framework (the Framework) encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing that which has been previously developed. Policy R1 of the District Plan require development to take place on previously used or developed land and is consistent with the Framework. The settlement of Cuffley is defined as an urban area for the purposes of the District Plan.</p> <p>The application site is not allocated in the District Plan as a designated housing site so comes forward as a windfall site. Policy H2 of the District Plan relates specifically to windfall housing development. This policy states that all proposals for windfall housing development will be assessed against the following criteria:</p> <ul style="list-style-type: none"> <li>(i) The availability of previously-developed sites or buildings</li> <li>(ii) The location and accessibility of the site to services and facilities by transport modes other than the car</li> <li>(iii) The capacity of existing and potential infrastructure to absorb further development</li> <li>(iv) The ability to build new communities to support infrastructure and provide demand for services and facilities</li> <li>(v) The physical and environmental constraints on development of land.</li> </ul> <p>Policy SADM1 of the Emerging Local Plan is also relevant in regards to windfall housing development. This policy is similar to Policy H2 of the District Plan but adds that the proposal should not undermine the delivery of allocated sites or the overall strategy of the Plan; and proposals would not result in disproportionate growth taking into account the position of a settlement within the settlement hierarchy.</p> <p>The application site is within the centre of the settlement of Cuffley, so it within walking distance of services and facilities. Existing infrastructure can absorb this development and the proposal would not undermine the delivery of allocated sites in the overall strategy, nor result in disproportionate growth of the settlement. The physical and environmental constraints of development is assessed below. The proposed development would satisfy Policy SADM1 of the eLP and R1 of the District Plan. In addition to this, subject to satisfying criteria (v) of Policy H2 of the District Plan the development would accord with Policy H2 of the District Plan.</p>
<b>Design (form, size, scale, siting) and Character (appearance within the</b>	<p>The NPPF places a clear emphasis on high quality design and states in paragraph 130 that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way in functions, taking into account any local design standards or style guides in plans or supplementary planning</p>

**streetscene)**

documents. The National Design Guidance is also relevant, which illustrates how well-designed places can be achieved in practice.

Policy GBSP2 of the District Plan seeks to limit development to that which is compatible with the maintenance and enhancement of the character of the area. Policies D1 to D11 of the District Plan deal with detailed aspects of design for the application. Policy SP9 of the Emerging Local Plan deals with place making and high quality design and Policy SADM11 of the Emerging Local Plan amenity and layout. The Council also has a Supplementary Planning Document devoted to this subject.

As stated within the NDG well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. Development proposals should be shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. This is proportionate to the nature, size and sensitivity of the site and proposal. The key characteristics that should be considered, as stated within the NDG.

The site is located in the centre of the settlement and would extend above the existing apartments. The development is designed with a mansard roof, with dormers installed on the front and side elevations. The proposed development would result in the building becoming 4 storeys high. When approaching the site from the east towards St Andrews Church there is a slope upwards in topography, creating a gradual incline in roof height. As shown within the Design and Access Statement, the increase in roof height would not compete with the height of St Andrews Church.

As for the roof design, along the Station Road there are an array of roof designs, including flat roofs, hipped roofs and gable roofs. Dormers on front roof slopes also feature within the streetscene. For these reasons, the proposed design would not disrupt any uniformity within the wider street scene.

In terms of appearance, traditional materials are proposed, including red brick and a white parapet to match existing. The hipped mansard roof would be finished in grey slate tiles, similar to those within the wider street scene. The dormer windows would be grey aluminium with white frames, to blend in with the grey slate tiles. The success of the development will rely on the quality of the materials. It is therefore considered reasonable and necessary, for the avoidance of doubt, precise details/samples of the external materials will be secured through a planning condition. To ensure the materials are of a high quality a condition shall be applied requiring the agreement with the Local Planning Authority.

As for the layout, the general access to all of the flats will be off Station Road down an existing entrance that leads to the rear of the site. Access to the flats is then obtained through a central staircase located above the existing circulation core.

The bin stores, cycle parking and car parking are also located to the rear of the site. The application has been supported by a block plan showing the proposed car parking layout. Concern was raised by the Highways Authority regarding the car parking layout. In response to the concerns raised the applicant's Transport Consultant has provided further information, including a car park swept analysis and written responses to points raised. These will be

	<p>discussed in greater detail below in this report, under the heading Access, car parking and highway considerations. The Highway Authority considered the further information submitted acceptable and withdrew their objection.</p> <p>The car parking layout also introduced a new gate for those accessing the car parking courtyard. The elevational plans submitted identify the location of the new gate, however there is a lack of information regarding how the gates will be controlled and designed. To ensure a high quality design is achieved a condition will be applied to obtain detailed plans of the gate.</p> <p>Concluding on the above and subject to the suggested conditions, it is considered that the proposed development would represent an acceptable standard of design and which would maintain the character of the existing area. In this respect the development would accord with Policies D1 and D2 of the District Plan, the Council's SDG, Policy SP9 of the Emerging Local Plan and the NPPF.</p>
<p><b>Impact on neighbours</b></p>	<p>Policy D1 and the SDG provide the local policy framework when assessing the impact of development on the residential amenity of neighbouring properties, as well as providing sufficient amenity for potential future occupiers of the proposed development. All new development should not cause a loss of light to or unduly dominate adjoining properties. In addition, development should be designed, oriented and positioned in such a way as to minimise overlooking between dwellings. Paragraph 12 of the NPPF seeks high quality design and good standards of amenity for all existing and future occupiers of land and buildings.</p> <p>Objections were received from neighbouring occupiers regarding neighbour amenity which are summarised above and addressed below.</p> <p>The proposed development is located to the east of existing residential buildings. The siting of the proposed development would not result in closer back-to-back distances that at present. The development does propose windows on the western elevation, which would result in additional overlooking, however these would not result in new views being obtained of existing occupier's amenity space. As such, the development would not give rise to overlooking that is considered detrimental to the amenity of existing occupiers.</p> <p>Further to this the application site is located to the east and would increase in height by an additional storey. When considering the movement of the sun, and the incline in land towards Plough Hill, the increase in height may result in a minor loss of natural sunlight in the earlier hours but would not be so significant to impact the existing occupiers amenity.</p> <p>The development would be erected above existing residential apartments. The properties on the top floor currently have roof lights for the bathrooms. This development would result in the loss of natural light to the bathrooms. As bathrooms are not considered habitable rooms, the loss of light would not warrant a reason for refusal.</p> <p>In addition to this, a resident raised objection to the loss of the roof light affecting the existing flats asset value. Financial matters, such as the impact upon asset value is not a planning matter.</p> <p>Further to this, neighbours have raised objection to the noise, dust and air</p>

	<p>pollution that would be created. The planning application has been accompanied with an Air Quality Assessment.</p> <p>The assessment concludes that during the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. Within the report these were assessed in accordance with the IAQM methodology. The report states that ‘assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by construction and trackout activities was predicted to be not significant.’ It also recognised that there may be potential impacts during the operational phase of the proposed development may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. To ensure good measures are undertaken a condition will be applied requiring a Construction Environmental Management Plan to be submitted. This should ensure the development does not result in adverse harm upon existing occupiers, by way of dust, air or noise pollution.</p> <p>With regard to the impact of the proposal upon future occupants of the proposed dwellings, the layout of the buildings and the positioning of windows and balconies does seek to address matters, such as, overlooking and loss of privacy. The layout also ensures that, with regard to overshadowing, daylight and sunlight, the scheme has been designed to achieve acceptable conditions.</p> <p>The SDG requires that all residential development should incorporate private open space for the use of residents. Within the SDG it states that amenity spaces for flats are likely to be in the form of communal amenity areas. The communal amenity space required for flats or other accommodation in multiple occupation must be available both for the use of and large enough to accommodate the needs of all residents. The areas should be located to the rear of the building. Drying areas and bin stores should be in addition to and separate from the communal open area. The Council will also look at the amount of open space in the local area.</p> <p>In this instance the existing occupiers do not have access to a communal area or private balconies due to constraints of the site. This would be a similar scenario to the existing residential apartments on the site. Within the local area the nearest recreational park is opposite Cuffley Football/Tennis Club with open space and play facilities which is 0.5 miles, approximately a 9 minute walk from this site. Further afield is Northaw Great Wood Country Park, which is just over a mile accessible by walking or cycle.</p> <p>There is concern with regards to noise from the nearby commercial and highway. Policy R19 of the District Plan requires proposals to be refused if the development is likely to generate unacceptable noise or vibration from other land uses. The Council has an obligation therefore to ensure that the development proposed does not suffer from a high level of noise, which is considered particularly important as the site is proposed to be predominantly residential. A condition shall therefore be applied for details relating to a scheme to protect the proposed development from noise due to the highway and nearby commercial/industrial units to protect the occupants of the new development from noise disturbance. This view is shared by WHBC Environmental Health Officer.</p>
<b>Access, car parking and</b>	Policy M14 of the District Plan and the Parking Standards SPG use maximum standards and are not consistent with the Framework and are therefore

**highway considerations**

afforded less weight.

In light of the above, the Council have produced an Interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case by case basis taking into account the relevant circumstances of the proposal its size context and its wider surroundings as well as the Framework guidance.

The car parking standards in the SPD set out that the site falls within Zone 4. As such, the following standards apply, 1.25 spaces per 1 bed dwelling and 1.5 spaces per 2 bed dwellings. The proposed development is for 3 x 1 bed and 3 x 2 beds and therefore 8 car parking spaces are required for this development.

Currently on the existing site there are 14 x 2 bed flats with access to the existing car park courtyard which comprises of 11 unallocated parking spaces and 10 garages for 14 residential flats and an additional garage which is owned by Shop 7. No other spaces are formally allocated to the commercial uses. The existing scenario therefore provides 21 car parking spaces for the existing flats, resulting in a scenario of 1.5 spaces per flat. With the addition of a further 3 x 1 bed and 3 x 2 beds, which require 8 parking spaces, a total of 29 spaces would be required on site.

In terms of this application there is no car parking proposed, and the applicant is reliant upon the existing car parking courtyard layout to provide provision for car parking for the development. In doing so, he proposed development does not seek to present any additional car parking and would result in the loss of 4 car parking spaces to provide space for cycle parking, a visitor space and a double space for delivery vehicles. As the existing spaces are not allocated and will be shared between the existing and proposed apartments, the assessment needs to take into consideration the whole site, not just the additional proposed units. The development would therefore reduce the amount of car parking available from 21 to 17 car parking spaces and would not provide the required 8 parking spaces for this new development. The development would therefore result in an additional pressure upon the existing car parking scenario.

This development proposes 17 car parking spaces (2 marked as disabled bays) for the 20 flats, excluding the visitor bay and two spaces for deliveries. Car parking bays 1 to 4 would however fail to comply with Manual for Streets 8.3.48, which states '*for parking parallel to the street, each vehicle will typically need an area of about 2m wide and 6m long*'. The transport consultant had commented that the proposal utilises the existing spaces and garages rather than provide a new reconfigured car parking. Further to this, within the Transport Statement it states that "Plate 7 reiterates the existing arrangement with garages and areas where residents' cars were parked during a site visit undertaken by the team, and therefore considered to be realistic parking spaces." Having checked the planning records obtained by the Local Planning Authority on this site, and minded that the Transport Statement states these spaces are identified due to cars parking in unallocated location, it is reasonable to conclude that the spaces identified within the Block Plan as existing spaces, have not been agreed through the formal planning process. These spaces are of an unacceptable standard and the justification that this is the current scenario is not accepted. As 4 of the spaces are considered



unacceptable, there would be a total of 13 car parking spaces serving 20 flats. The development would therefore provide 45% of the maximum car parking provision. As the development falls within zone 4, this is considered unacceptable.

The applicant provided justification for the amount of car parking proposed, using Car Ownership Statistics from the 2011 Census for the 'Northaw and Cuffley' ward as part of the Transport Technical Note. This highlighted that car ownership for flats within the surrounding area to be approximately 0.70 cars/vans per flat on average. Applying this to the proposed 6-unit and existing 14-unit development, this equates to a potential maximum demand of 14 cars for the overall 20 unit site. As 4 of the spaces are substandard it would be unreasonable to count these within the overall car parking provision proposed and therefore the development would total 13 car parking spaces. As such, the development would total 0.65 spaces per flat. For these reasons, the lack of car parking is not justified.

The development would introduce gates and formalise the car parking courtyard to prevent members of the public or employees of the local shop using the site. It is recognised that introducing a gate would ensure the car parking is used for residents only. However, the car parking provision is still considered insufficient and therefore the lack of car parking is objected to.

Paragraph 105 of the Framework states that parking standards should take into account various matters including the accessibility of the development, the type, mix and use of the development, and the availability of and opportunities for public transport'.

The application site is located within the village centre of Cuffley, walkable distance to services and amenities, as well as, being within walking distance to a train station and bus services.

A Transport Technical Note has been provided in support of this application, stating that The closest serviced bus stops to the site are located at the eastern edge of Plough Hill approximately 125 metres walk distance of the centre of the site; and on the western edge of Plough Hill approximately 125 metres walk distance of the site. These bus stops include flag and pole arrangements with timetable facilities and served by the public bus route 242. This bus service links the site to a number of areas such as Potter Bar, Goffs Oak, Cheshunt, Waltham Cross and provides 1 bus every 30 minutes on average. An additional bus stop is located at the approximately 330 metres east of the site at the Cuffley Railway Station. This stop is served by routes 242 and 380. Bus route 380 runs at an average frequency of 1 bus every 120 minutes (off-peak only) and links the site to Hertford, Bayford, Hertingfordbury and Epping Green.

From the information above, residents would have access to areas to the east of Cuffley, via bus services, however the frequency would vary with off-peak times being approximately every 120 minutes. As for the train service this is on the Stevenage to Kings Cross Line, with a frequent service. The development is therefore relatively well connected north to south, and reasonably well connect to the east, albeit by two different bus services, with one being a less frequent service.

Having said that, the application site has limited public transport if residents wanted to travel westwards and due to poor connectivity, disregarding the north to south train line. Furthermore, when considering the SPG the

	<p>application site falls within Zone 4. In the zoning process, there are 4 different types of zones, each giving a different level of car parking restraint. The zones were determined against criteria, which included assessing accessibility to proximity to shopping; economic health of the town; footway and cycle links and accessibility of the cell be passenger transport. Each cell was subsequently assigned a score for each of these criteria. As a result, Cuffley was considered to fall within Zone 4. In addition to this, the eLP states that Cuffley is considered to have relatively poor connections to the rest of Welwyn Hatfield. Therefore, whilst the site is located within the village centre of Cuffley, this scheme would result in the existing and proposed apartments having a total of 13 car parking spaces, thus lacking 16 car parking spaces, when considering the SPG.</p> <p>Minded of this, and that the development proposes 45% of the maximum car parking standard and the justification provided is not considered sufficient, it is considered that there is a lack of car parking proposed, which in turn would indicate that the application site is being over developed.</p> <p>The lack of onsite car parking would result in residents needing to park either within the public car parks, which have an associated cost, and therefore it is reasonable that residents would disperse onto the local highway, where possible given the time constraints on the roads near the site. The Highways Authority commented that Station Road is vulnerable to accidents. Car parking along Station Road would therefore have a direct impact on the free and safe movement, thus resulting in a negative effect upon highway safety.</p> <p>In the absence of sufficient car parking, the likely parking overspill of the development would lead to congestion and safety issues in the surrounding streets or alternatively residents would have to pay unreasonable costs to park in the public car park.</p> <p>On this basis the scheme does not amount to good design, has insufficient amount of car parking and would be detrimental for highway safety within the wider road networks. For these reasons the development is considered to be contrary to Policy D1 and M14 of the District Plan, and the Framework.</p> <p>It is also understood that the current car parking area is used by employees of the ground floor commercial properties, however these spaces are not formally allocated to the employees or users of the commercial uses. The existing commercial units could also apply for business parking permits within the existing Controlled Parking Zone along Station Road adjacent to the site.</p> <p>Residents on Plough Hill have raised concern about access to and from their garage and parking space at the rear of their property. This is however a civic matter as it would depend on the rights of access off of Station Road.</p> <p>The proposed development also includes secure and sheltered cycle parking that is sufficient to store bicycles for all 20 residential, thus satisfying the Council's cycle parking provision.</p> <p>In summary, the proposal would result in over development of the site, resulting in there being an unacceptable level of on-site car parking. For these reasons, objections are raised in regards to Policies H6 and M14 of the District Plan; the SPG Parking Standards; the Council's Interim Policy for Car Parking Standards; and the NPPF.</p>
<p><b>Biodiversity Issues</b></p>	<p>Policy D8 of the District Plan seeks to maintain and protect existing landscaping. Policy R11 of the District Plan and Policy SADM16 of the eLP</p>

	<p>expects proposal to maintain, protect and wherever possible enhance biodiversity, the structure and function of ecological networks and the ecological status of water bodies.</p> <p>The site does not currently afford green or habitat areas on site and has little intrinsic ecological value. The development would maintain the existing landscaping therefore satisfying Policies R11 and D8 of the District Plan and Policy SADM16 of the eLP.</p> <p>The existing site and development is such that there is not a reasonable likelihood of European Protected Species (EPS) being present on site nor would an EPS offence be likely to occur, as defined within the Conservation Regulations. It is therefore not necessary to consider the Conservation Regulations 2010 or (Amendment) Regulations 2012, National Planning Policy Framework (paragraphs 118-119), Natural Environment &amp; Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05.</p>
<b>Flood risk and Sewage Disposal</b>	As the application site is within Flood Zone 1 and under 1ha a Flood Risk Assessment was not required to be submitted. As such, the site is considered to be at a low risk of flooding, ensuring the scheme would not conflict with Policy R7 of the District Plan and Policy SADM 14 of the eLP.
<b>Refuse and Recycling</b>	The location and provision of the bin storage is considered acceptable. A condition will be applied to ensure the refuse and recycling materials storage bins and areas shall be constructed, equipped and made available for use prior to first occupation and retained in that form thereafter
<b>Accessible Housing</b>	Policy H10 of the District Plan requires residential development of this scale to involve a proportion of dwellings to be built to lifetime home standards. As this has not been identified on the information or plans submitted a condition shall be applied, requesting the submission of details of the siting of apartments within lifetime home standards in accordance will Policy H10 of the District Plan and SP 7 of the eLP.
<b>Renewable Energy</b>	<p>Policy R3 of the District Plan states that <i>'the Council will expect all development to (i) include measures to maximise energy conservation through the design of buildings...'</i> Policy SD1 of the District Plan states that <i>'development proposals will be permitted where it can be demonstrated that the principles of sustainable development are satisfied'</i>.</p> <p>The proposed development has not outlined how the development would incorporate robust energy efficiency measures promoting the use of renewable resources and involve sustainable drainage, heating and power systems. As such, a condition securing details of the energy-efficient construction materials and processes, including measures for long term energy and water efficient use of the building, to be submitted to and approved in writing by the LPA will be applied.</p> <p>This is to ensure that the development contributes towards sustainable development and energy efficiency in accordance with Policies R3 and SD1 of the District Plan and Policies SP1, SP 10 and SADM 13 of the eLP.</p>
<b>Planning Balance</b>	<p>The Framework sets the context for plan making and decision making from the national perspective. At its heart there is a presumption in favour of sustainable development. The proposed development is considered to accord with all three overarching sustainable development objectives (economic, social and environmental).</p> <p>Within the Annual Monitoring Report February 2019 the borough has a</p>

housing land supply of 3.63 years against the standard methodology and under the 2016-based household projections. It is therefore accepted that the Council, at this time, are unable to demonstrate a five year supply of housing land.

As such, paragraph 11 of the Framework applies, which states that where a local planning authority cannot demonstrate a 5 year land supply of deliverable sites its plan is considered to be out of date. Accordingly paragraph 11 of the Framework confirms that permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or if there are any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The materiality of housing undersupply must therefore be given greater weight in decisions and the delivery of housing is an important objective in keeping pace with household growth and meeting housing targets. The main consideration for this proposal is whether the harm identified from the height proposed is outweighed by the benefits associated with this scheme.

The adverse impact relates to the lack of car parking contrary to Policy M14 of the District Plan.

*Social consideration*

In terms of social benefits, the construction of up to 6 residential apartments would deliver housing contributions, albeit a rather small amount, towards the provision of much needed housing, which is given significant weight.

*Economic consideration*

During the build out phase, the scheme would offer construction employment and expenditure would be associated with the implementation of the scheme. The benefits during the construction phase would be generic and only a temporary benefit. As such, it does not amount to no more than moderate weight.

Thereafter, future residents would be likely to support local services and facilities through direct as well as indirect expenditure. Input into the economy from residents of the scheme would apply over the long term. Whilst not seeking to minimise the value to the local economy, in the overall picture these benefits are not out of the ordinary and in this instance have limited weight.

*Environmental consideration*

The proposed development would make efficient use of previously development land. The site is within a sustainable location with access to non-car modes of transport and is a walkable distance from the village centre, which includes services and facilities and employment opportunities. The development would therefore make efficient use of land, within a sustainable location. As such, moderate weight is afforded towards these benefits.

Matters weighing against the scheme are limited in this instance and are related to a lack of car parking. As discussed above, the proposed development would provide 13 car parking spaces for 20 residential apartments. This would be 45% of the maximum provision and would equate to an average of 0.65 car parking spaces per unit. The justification provided is considered insufficient and whilst the development would have access to a train station and two bus services, these would not provide transportation to areas west of Cuffley. One of the bus services also provides a limited service

	<p>during off-peak hours. Further to this the eLP considers Cuffley to be poorly connected. Due to the lack of car parking it is considered that the development would result in the site becoming overdeveloped. As such, substantial weight is afforded towards the harm identified.</p> <p><i>Conclusion on planning balance</i></p> <p>Whilst a lack of a five year land supply of deliverable housing land does not provide an automatic 'green light' to planning permission, a balance must be struck. The deficiency in housing land supply will carry substantial weight in that balancing exercise.</p> <p>The harm identified is in regards to the lack of car parking. Having weighed up the benefit of the scheme is that the 6 apartments would contribute towards the housing shortage, albeit only a small amount. The other positives of the schemes are not out of the ordinary and only provided limited weight. Whilst it is recognised that the scheme would contribute towards the housing shortage, the development does not propose any additional car parking and would worsen the existing car parking situation on the site due to the rise in residential units.</p> <p>Weighing this harm against the significant weight afforded towards the provision of market housing where there is a housing shortage, the planning balance is not tilted in favour of the development. It is therefore considered on balance that the benefits of the scheme would not outweigh the lack of car parking provision due to the overdevelopment of the site.</p>
<p><b>Conclusion</b></p>	
<p>To conclude on the above the proposed development provides no additional car parking resulting in there being 13 spaces for 20 residential units, within a Zone 4 location and therefore lacking 16 car parking spaces to satisfy the SPG. To conclude on the above, the development does not propose any additional onsite car parking and would result in there being 13 spaces for 20 residential units, within a Zone 4 location, therefore being 16 spaces short to satisfy the SPG. In regards to the justification provided this is not considered sufficient. The development therefore fails to provide sufficient onsite car parking and would result in cars dispersing onto the nearby highway leading to congestion and safety issues within the wider road networks. Overall the development is of a poor design and provides an insufficient amount of car parking contrary to Policies D1 and M14, the Car Parking Standards and the Framework.</p>	

**Reasons for Refusal:**

1. The proposed development provides no car parking and together with the existing development, there would be a lack of 16 car parking spaces, which would result in residents dispersing onto nearby highways creating an adverse highway impact. This is a poor standard of design contrary to Policies D1 and M14, the Supplementary Planning Document on Parking, Interim Policy for Car Parking Standards and the National Planning Policy Framework.

**REFUSED DRAWING NUMBERS**

2.

Plan Number	Revision Number	Details	Received Date
1254.01.00		Proposed Location Plan	23 June 2020

1		
1254.01.00 2	Proposed Block Plan	23 June 2020
1254.01.01 0	Existing Ground And First Floor Plan	23 June 2020
1254.01.01 1	Existing Second Floor And Roof Plan	23 June 2020
254.01.020	Existing East And West Elevation	23 June 2020
1254.01.02 1	Existing North And South Elevation	23 June 2020
254.01.101	Proposed First And Second Floor Plan	23 June 2020
254.01.102	Proposed Third Floor Plan	23 June 2020
1254.01.10 3	Proposed Roof Plan	23 June 2020
1254.01.20 0	Proposed East And West Elevation	23 June 2020
1254.01.20 1	Proposed North And South Elevation	23 June 2020
1254.01.20 2	Proposed Long South Elevation	23 June 2020
1254.01.30 0	Existing And Proposed Section A A	23 June 2020
2000460- 001	Car Park Swept Analysis	6 August 2020

#### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

#### **Determined By:**

Mrs Sarah Smith  
10 September 2020